

**ENTERED**

July 10, 2024

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

HARVEY EUGENE MURPHY, JR.

VS.

ESSILORUXOTTICA USA INC.

ET AL

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CIVIL ACTION NO. 4:24-cv-0801

**DOCKET CONTROL ORDER**

This case will be controlled by the following schedule.

**DEADLINES**

1. TBD **DEADLINE TO AMEND PLEADINGS** Parties may amend pleadings by this date without leave of court. If Plaintiff(s) file(s) an Amended Complaint by this date, Defendant(s) may file a responsive pleading in accordance with Fed. R. Civ. P. 15(a)(3). After expiration of this deadline, a party seeking to amend pleadings must file a motion for leave demonstrating both good cause and excusable neglect in accordance with Fed. R. Civ. P. 6(b)(1)(B).
2. TBD **DEADLINE TO ADD NEW PARTIES** Unless a case has been removed from state court, new parties may be added by this date without leave of court. After expiration of this deadline, a party seeking to add a new party must file a motion for leave demonstrating both good cause and excusable neglect in accordance with Fed. R. Civ. P. 6(b)(1)(B). The attorney causing the addition of new parties will provide copies of this order and all orders previously entered in the case to new parties. **Note:** If a case has been removed from state court, a motion for leave must be filed seeking a permission to add new parties.
3. 2/12/25 Identification of plaintiff's experts and production of experts' reports in the form required by Fed. R. Civ. P. 26(a)(2)(B).

4. 3/14/25 Identification of defendant's experts and production of experts' reports in the form required by Fed. R. Civ. P. 26(a)(2)(B).
5. 4/18/25 **COMPLETION OF DISCOVERY** Written discovery requests are not timely if they are filed so close to this deadline that the recipient would not be required under the Federal Rules of Civil Procedure to respond until after the deadline.
6. N/A **LIMITS ON DISCOVERY**
7. 4/25/25 **DISPOSITIVE MOTIONS** Parties wishing to file dispositive motions must still follow the pre-motion conference requirements set forth in Section 6 of the local court procedures utilized by Judge Hanks and Judge Edison.
8. 6/13/25 **ALL OTHER PRETRIAL MOTIONS**
9. 8/1/25 **JOINT PRETRIAL ORDER AND MOTIONS IN LIMINE** Plaintiff is responsible for timely filing the complete joint pretrial order. All information is to comply with the disclosure requirements of Fed. R. Civ. P. 26(a)(3). All parties are directed to read the Court's Procedures regarding required trial documents and procedures.
10. 8/8/25 **DOCKET CALL is set at 3:00 p.m.** Other than as set out in the Court's Procedures no pleading or document filed within seven days of docket call will be considered by the Court. Any pending motions may be ruled on at docket call, the case will be set for trial, and further pretrial orders may be issued.
11. Sept./Oct.2025 **JURY / BENCH TRIAL** Case is subject to being called to trial on short notice during this month.

Estimated Trial Time: \_\_\_\_\_ days.

Signed this 10th day of July 2024.



ANDREW M. EDISON  
UNITED STATES MAGISTRATE JUDGE